IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

WA.No. 2636 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.15837/2005 Dated 22/10/2007
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APPELLANT: PETITIONER:

M.J.MATHAI, (RETIRED ON 31-3-93
AS TEACHER OF GOVT.LPS, KUMARANKARY,
ALAPPUZHA DISTRICT), MYLETTUTHANNIMOOTTIL HOUSE,
KULATHOOR P.O.,(VIA)VAIPUR, MALLAPPALLY TALUK,
DISTRICT PATHANAMTHITTA.

BY ADV. SRI.K.GOPALAN

RESPONDENTS: RESPONDENT:
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1. ASSISTANT EDUCATIONAL OFFICER,
VELIYANAD, RAMANKARY P.O., ALAPPUZHA DISTRICT.

2. DEPUTY DIRECTOR (EDUCATION),
ALAPPUZHA.

3. THE HEAD MASTER, GOVT. L.P.SCHOOL,
KUMARANKARY, ALAPPUZHA DISTRICT,

4. THE ACCOUNTANT GENERAL (A & E),
KERALA, TRIVANDRUM.

5. THE STATE OF KERALA REPRESENTED
BY THE CHIEF SECRETARY TO THE GOVERNMENT,
SECRETARIAT, TRIVANDRUM.

BY GOVT. PLEADER SRI.SANDESH RAJA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & T.R.RAMACHANDRAN NAIR, JJ.

W.A.No.2636 OF 2007

Dated this the 19th day of December, 2007

JUDGMENT

Radhakrishnan, J.

Petitioner retired from service as a primary school teacher on 31/03/1993. Ext.P5 is the communication sent to the petitioner by the Assistant Educational Officer on 20/02/1996 in response to the letter sent by the petitioner on 25/01/1996. First representation submitted by the petitioner for charge allowance was Ext.P2 dated 27/03/1993. The same was returned to the petitioner. Thereafter petitioner re-submitted Ext.P3 representation after several years. Ext.P6 is the communication sent by the Assistant Educational Officer to the Chief Minister's Public Grievances Redressal Cell wherein it has been stated that petitioner had raised a claim after 7 years and the office file closed on 14/07/1992 is not traceable at present. After that also there has been substantial delay in agitating the matter. Ext.P7 dated 17/12/2004 was a communication received by the petitioner rejecting her request. Learned Single Judge did not entertain the writ petition due to delay and latches. We do not

find any illegality in the reasoning of the learned Single Judge. Writ Appeal is dismissed.

K.S.RADHAKRISHNAN
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

sv.